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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING COMMISSION

MEETING DATE January 14, 2016	CONTACT/PHONE Megan Martin (805) 781-4163 mamartin@co.slo.ca.us	APPLICANT County Department of Parks and Recreation	FILE NO. DTM2015-00007
DETERMINATION DATE December 31, 2015			
SUBJECT Determination of conformity with the County General Plan for a request by the County of San Luis Obispo Parks and Recreation Department to abandon a small portion of the previously accepted trail easement and trail staging area for the Juan Bautista De Anza National Historic trail between Santa Margarita and Garden Farms on a portion of APN 070-111-037. The parcel is located in the Agriculture land use category in the Salinas River sub-area of the North County planning area.			
RECOMMENDED ACTION Receive and file the determination that the proposed abandonment of a portion of the trail easement and staging area by the County by the Parks and Recreation Department is in conformity with the County General Plan.			
ENVIRONMENTAL DETERMINATION This General Plan Conformity Report is not considered a project under CEQA and therefore does not require an environmental determination. Any subsequent land use permit application, however, would require an environmental determination.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Flood Hazard	ASSESSOR PARCEL NUMBER 070-111-037	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: None Applicable			
LAND USE ORDINANCE STANDARDS: None Applicable			
EXISTING USES: Santa Margarita Ranch, special events, grazing			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/Vacant, Grazing <i>East:</i> Agriculture/Vacant, Grazing <i>South:</i> Residential Single Family/Single Family Residences <i>West:</i> Agriculture/Vacant, Grazing			
TOPOGRAPHY: Gently to moderately sloping			
PROPOSED SERVICES: Fire Protection: Cal Fire			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

BACKGROUND

In 2003 the County Department of Parks and Recreation (County Parks) in cooperation with the property owner of APN 070-091-036 was offered, as a condition of a subdivision, a 26-foot wide trail easement for a section of the Juan Bautista de Anza National Historic trail (Juan Bautista trail), which would eventually connect the community of Santa Margarita and village of Garden Farms. The multi-use trail is proposed in the Park and Recreation Element of the General Plan and the acquisition of the easement was necessary for the trails construction.

In more recent years, County Parks has been working with the same property owner to acquire an additional easement which would complete the connection between Santa Margarita and Garden Farms. County Parks and the property owner negotiated an agreement for the County's acceptance of the connecting trail easement with an alternative trail staging area. On October 29, 2015, the Planning Commission received a General Plan Conformity Report for the County's acceptance of the alternative trail easement, which would complete the connection of the Juan Bautista trail between Santa Margarita and Garden Farms. However, the new trail easement will not utilize a small portion of the previously accepted trail easement and trail staging area. Per the new agreement, in addition to accepting the new trail easement and staging area, County Parks is proposing to abandon a portion of the previously accepted easement located on APN 070-111-037.

GENERAL PLAN CONFORMITY

When the acquisition or disposal of real property, or the construction of structures, is proposed by a public agency within the unincorporated area, the proposal must be evaluated for consistency with the county General Plan before the action is authorized. Pursuant to Government Code section 65100, this department is authorized to prepare and issue conformity reports that are required by Government Code section 65402. Because the purchase is a project that is required to be found consistent with the county general plan, this conformity report is being prepared.

The determination of conformity is to be based on the County General Plan including the text, standards, programs, and maps contained therein. Factors that are listed in Framework for Planning, Part I of the Land Use Element that may be considered in determining conformity include, but are not limited to the following:

1. The proposed project bears a reasonable relationship to pertinent policies and mapped locations of the most applicable General Plan elements, specific plan or facility master plan.

Staff Response: A small portion of the Juan Bautista trail easement and staging area are no longer necessary for the establishment of the proposed Juan Bautista trail as identified and discussed in the Parks and Recreation Element between Santa Margarita and Garden Farms. The proposed abandonment of the easement and staging area will not interfere with the future development of the newly acquired trail and connection between the two communities and is necessary to ensure the Juan Bautista trail bears a reasonable relationship to the mapped location of the proposed trail alignment identified in the Parks and Recreation element.

2. The project is consistent with the goals, objectives and policies of the Land Use Element and any other applicable General Plan element.

Staff Response: Policy 3.10 of the Parks and Recreation Element seeks to establish an extensive trail system throughout the county. The Juan Bautista trail is one of the identified trails within the county's trail system. The policy discusses establishing and constructing segments of the trail only when a viable link can be established connecting

residential communities, parks, staging area, or other public points of interest. The proposed abandonment will still allow for the connection between Santa Margarita and Garden Farms; abandonment of a small portion of the easement and staging area is a necessary step to implement the policies that will allow Parks and Recreation Department to construct the newly acquired trail easement.

3. A proposed construction project is designed in conformance with the standards of the Land Use Ordinance as well as any standards contained in Chapter 9 of the Land Use Element Ordinance.

Staff Response: The proposed project consists of abandoning a portion of the Juan Bautista easement on a portion of APN 070-111-037 to minimize an unnecessary trail link between Santa Margarita and Garden Farms. Abandonment of the trail and staging area will not result in the need for any construction. A management plan for development of the trail has not yet been prepared and the area planned for development will remain in its natural condition until a formal management plan to install the trail has been prepared. Construction of the trail will be subject to the standards of the County Land Use Ordinance as well as any applicable standards contained in Chapter 9 of the Land Use Element.

4. The disposal or sale of public property will not eliminate, delay or unreasonably interfere with the opportunity to develop public sites or structures as identified in the General Plan. The proposal should be evaluated for its possible use as a public facility, or for its exchange or sale and subsequent purchase of a better site within the community.

Staff Response: Abandonment of the portion of the Juan Bautista trail and staging area will not eliminate or delay the establishment of the newly acquired route and easement between Santa Margarita and Garden Farms. The abandonment will not interfere with development of future structures or sites on adjacent properties or the subject site.

DETERMINATIONS AND FINDINGS

Proposed abandonment of a portion of the trail easement and staging area located on APN 070-111-037 is in conformity with the county General Plan based on the following findings:

- A. The elimination of the County trail easement and staging area would not eliminate, delay, or unreasonably interfere with the opportunity to develop structures as identified in the General Plan. Surrounding properties are zoned Agriculture and the abandonment will not eliminate uses on these properties but will allow County Parks to proceed with the establishment and construction of the proposed Juan Bautista trail between Santa Margarita and Garden Farms.
- B. The elimination of the County trail easement and staging area does not conflict with other elements of the County General Plan because eliminating the portion of the trail and staging area to the adjoining private property owner will still allow for the establishment of the Juan Bautista trail as identified in the Parks and Recreation Element. The abandonment is consistent with the goals, objectives and policies of the other elements of the General Plan.
- C. Any future development would require further review and an environmental determination. Such development would be reviewed for compliance with applicable general plan policies and land use ordinance standards, and would require an environmental determination in accordance with the California Environmental Quality Act (CEQA).

ATTACHMENTS

1. Graphics

- Vicinity Map
- Land Use Category Map
- Aerial Map
- Proposed Abandonment Trail Location

2. County of San Luis Obispo Department of Parks and Recreation Conformity Request – December 7, 2015.

3. Perpetual Easement Agreement Juan Bautista de Anza National Historic Trail.

Staff Report prepared by Megan Martin and reviewed by Karen Nall, Supervising Planner.